

MILLIONS Can Be Saved To Kentucky

By The Appointment Of Adequate Counsel

Justus Goebel Makes Strong Appeal for Protection To People's Interests

In Open Letter He Asks That Lawyers Known To Be Loyal To the Cause Of the People and Free From Corporation Taint Be Employed In the Suits Against Tax- Dodging Corporations

OPEN LETTER.

Frankfort and Covington, Ky.,
October 31st, 1912.

To His Excellency, Governor James B. McCreary; to all Administrative and Legislative officers of the State and to all citizens of the Commonwealth who are interested in equal and uniform taxation:

"Tell my friends to be brave and fearless and loyal to the great common people."

These last words of my assassinated brother, William Goebel, have a sacred significance to me and when in September, 1909, I again commenced to take an active interest in our State's affairs, it was not to gain political favor, for there is no office I would have; but it was with hope and confidence that my work would, during the administration of the present state officers, open up an opportunity for Kentucky to take up William Goebel's work where the assassin's bullet had interrupted it, and in that event every department of our government would give thereto by voice and action most positive, vigorous and loyal support.

Relief Must Come.

Necessity for action in the interest of the people has grown as years have passed until it has developed into what is to-day a crying shame and from which relief must come.

Too long, altogether too long, has there been unjust discrimination against the people, unjust and burdensome taxation upon the people, as compared with what has been required to be paid by the big corporations of our State. Corporation lawyers have boastfully said the death of William Goebel was a benefit to the corporations. If this was true, the question is, how much longer shall the people be held in bondage because of his death?

God knows the corporations now suing the State have been able to procure (and the word procure is used advisedly) immunity long enough from paying their just share of the taxes.

A hundred million dollar increase in the value of corporation property for taxation opens a new era in the State's affairs, and has awakened the people, and brought them to a realization of what has been done to them, and there will be a further awakening, which will correct abuses equally as great as unequal taxation. A true awakening of the people has come, and henceforth every man who would hold office must be a progressive, and no imitation will satisfy them; they will sweep aside and into oblivion as old chaff any man who hesitates or dares stand in the way of betterment of conditions and improvement in every way for the whole people.

Gross Undervaluation.

No one doubts, had William Goebel been permitted to live, that which was done last month by the Board of Valuation and Assessment would have been done more than a decade ago, and to-day, instead of the large corporations fighting in the courts and by sinister methods, endeavoring to perpetuate unjust and unequal taxation, to throttle the action of this State Taxing Board, the first to act fully in the interest of the people, they would long ago have been paying into the State, county and city treasuries their just proportion of taxes.

It is very evident that in Kentucky, as in other States, big corporations will never pay a cent more of taxes than they are made to pay.

Take the case of the C. & O. R. R. In 1911 this road, on its entire system in Kentucky, paid taxes on a total valuation of only \$9,313,270, whereas the street railway company of the city of Louisville was made to pay on a valuation of \$10,800,000. The C. & O. R. R. in 1901 paid taxes on a franchise valuation of only \$2,171,189, and in 1911 on a valuation of only \$2,743,



JUSTUS GOEBEL. GOV. J. B. McCREARY.
Kentucky Delegates From State at Large to DEMOCRATIC NATIONAL CONVENTION, BALTIMORE, JUNE, 1912.

350, whereas the Board found their 1912 assessment should be \$18,798,630. The C. & O. R. R. in 1901 paid taxes on a franchise valuation of only \$2,110,197, and in 1911 on a valuation of only \$3,559,320, whereas the Board found their 1912 assessment should be \$10,674,200. The I. C. in 1901 paid taxes on a franchise valuation of only \$1,989,870, and in 1911 on a valuation of only \$4,510,320, whereas the Board found their 1912 assessment should be \$14,746,857. The L. & N. R. R. in 1901 paid taxes on a franchise valuation of only \$6,504,879, and in 1911 on a valuation of only \$11,899,200, whereas the Board found their 1912 assessment should be \$45,428,074.

The Covington companies in the past paid as little, proportionately, as did most of the above mentioned companies, and without exception all these companies and the two others suing wanted the same assessments for 1912 that they had in 1911. The Board of Valuation and Assessment based their 1912 assessments on convincing proof of values placed before them, and the assessments are uniformly just and fair, and of the more than four hundred corporations assessed, only seven have protested in the courts, and these are among those that have always proportionately paid the least.

In the last twelve years the State, counties and cities have been robbed, and the word robbed is the only word that fits the case, of more than ten million dollars in taxes.

In the years from 1902 to 1911, inclusive, a period of ten years, there has been an average increase in the franchise assessments of the four largest railroads of the State of only 1 1/4 per cent yearly, and this almost unbelievable record of astonishingly small increases was made in the ten best years for earnings that the railroads of this country ever saw.

The picture here presented of the previous inadequate franchise assessments is astounding, but when one examines into the situation regarding the tangible assessments made by Railroad Commissions of the properties of six of the corporations now suing the State, the word "astounding" is inadequate and must be here supplanted by the word "dumfounding" to state more correctly what the tangible assessment picture actually presents.

Work Is Delayed a Decade.

Take the case of the C. & O. R. R. and the records show that the tangible property of this company in 1892, twenty years ago, was assessed at \$8,019,877. In 1911 notwithstanding the extensions made in mileage of road, double tracking of a vast system, acquiring much new real estate and probably more than doubling their equipment of engines and cars this company's tangible property was assessed at only \$6,270,270, or 21 1/2 per cent less than in 1892, twenty years ago.

In 1892 the market price of C. & O. stock was around 11 cents, and to-day the stock of this company is selling at \$1.5 cents, and the capital stock has been increased to one hundred million dollars. Further comment to show that our state has been robbed is unnecessary. The tangible property of the C. & O. R. R. was assessed in 1911 for less than it was assessed in 1900, and but little more than in 1890, notwithstanding the great improvements made by the company. The other railroads have been similarly inadequately assessed on their tangible property for many years.

In May, 1910, a prominent official of one of the companies suing, stated that the special interests had in years past controlled the state's taxing boards, and the records apparently prove he told the truth in that instance. He also stated that he would control the present Board of Valuation and Assessment, but in this he has proven an ignominious failure.

Board Acts For People.

To date the people have won, and the Board of Valuation and Assessment consisting of Henry M. Bosworth, chairman; Tom S. Rhea and C. F. Creel, has finished its work for 1912, and, thank God, for once it has acted in the interest of the people.

Until this year the Board of Valuation and Assessment has been controlled in the interest of the big corporations by some hook or crook, either friendship, political favor rendered

or to be rendered, bribery or intimidation, but never before has the state, county or city been given what it was rightfully entitled to.

The eight suits that have been brought against the state must be fought through all federal and state courts, and are of vital importance to our people. They involve for the state \$382,389, and for the county and city taxing districts \$823,396, or a total, annually, of \$1,205,785.

The railroad companies, realizing the magnitude of this fight and anxious to win out, not alone from a financial standpoint, but to prevent the great public denunciation that is bound to come in the wake of a victory for the state, are calling up the wonderful array of legal talent that is at their command through the power and influence that comes of the tremendous amount of money represented in their combined capitalization of approximately one billion dollars.

Master Legal Minds.

Among the master legal minds that are already engaged in preparing the defense of the suing corporations are Trabue, Dolan & Cox, of Louisville, for the Illinois Central Railroad Company; Galvin & Galvin, of Cincinnati, for the Cincinnati, New Orleans & Texas Pacific Railroad Company; John T. Shelby & Son, of Lexington, for the Chesapeake & Ohio Railroad Company; Col. Henry L. Stone, Helm Bruce, C. H. Moorman, R. A. Colston, of Louisville, and Browder & Browder, of Russellville, for the Louisville & Nashville Railroad Company; Beckham & McQuown, of Frankfort, and Ernst, Cassatt & Cottle, of Cincinnati, for the South Covington & Cincinnati Street Railway Company and the Union Light, Heat and Power Company; Maxwell, Ramsey & Graydon, of Cincinnati, for the Adams Express Company and for the Southern Express Company.

In addition to this galaxy of legal talent, the suing corporations have a vast army of busy workers who never appear in the limelight or in the courtroom, and they may be described as research lawyers, accountants and statisticians, who are a mighty supportive element to the men who will present the cases and make the pleas and arguments.

Without detracting one iota from the splendid ability and known loyalty to the state's interests possessed by the attorney general, James Garnett, and his three assistants, the commonwealth's legal force, as compared with that of the corporations, must seem inadequate, indeed; and when it is taken into consideration that the attorney general's office has a multiplicity of cases and matters of state to fully employ their attention, and that the present situation comes in the nature of an emergency unforeseen and unprecedented in the state's history, the urgent necessity for the employment of other able lawyers as a supportive force to the attorney general becomes quite apparent.

Ability, known loyalty to the cause, and assured freedom from corporation taint should be the gauge to govern in the selection of attorneys to assist in the defense of the state's interests.

Justus Goebel's Interest.

My interest in the work just completed by the board was, and is, different from, and greater than, that of any man in Kentucky or elsewhere—even though he may have been connected with the work. Love of my state and love for and memory of my assassinated brother, whose brain-work constructed and whose blood stained the statutes which made it possible to do what the Board of Valuation and Assessment has just completed, have compelled me to the service I have rendered in the matter, and, without official duty resting on me, I have given untiringly and almost constantly more than five months of time, energy and study to these assessments in the interest of the state and its people, to the exclusion of every other interest—business and personal.

Therefore, with such an interest and with the knowledge that I have gained through my labors, I feel that I am qualified, amply qualified, to make an appeal, in the name of the 400,000 taxpayers of the state who furnish seven-eighths of the revenue for the state's government, and who for many years have withstood the burden of unequal taxation, to the administrative and legislative officers of the state to support the governor with unlimited

means for the necessary defense of the people's interest and cases.

There are men who have said in places that in the employment of Attorney John L. Rich the state had gone far enough, but to such men I would say, "Is your only interest the welfare of the people, and have you proven that there is no other interest that is greater with you than the people's interest?"

Every Citizen Interested.

We have been, and are, dealing in this with a matter which is vital to, and affects the comforts of every home, no matter how humble, and the pocketbook of every taxpayer in the commonwealth, be he laborer, mechanic, farmer, merchant or of any other rank or station. All have their interest in what we have been fighting for—more nearly equal taxation and relief from corporation oppression.

The question is, shall the cause of our taxpayers be defended at the bar of justice by an array of counsel of the correct standard and in keeping with the greatness and importance of these cases, which involve, not only \$1,205,785 this year, but millions upon millions in years to come, and if the assessments are upheld, mean to this generation and generations yet unborn in Kentucky, lesser tax to pay, and to the state adequate revenue for every purpose of government, economically conducted.

"Most respectfully yours,
"JUSTUS GOEBEL"

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